

**Sec. 13-727. Commercial kennels.**

- (a) *Purpose and intent.* Commercial kennels are permissible as a special land use where indicated by Use 3.912 on Table 13-362A. In addition to the other provisions of this chapter, it is the intent of this section to provide for such use in a manner which will have the least possible adverse impact to the community.
- (b) *Types of kennels.* For purposes of applying standards, kennels shall be classified as either Class A or Class B:
  - (1) *Type A.* A Type A kennel is one in which, between 10:00 p.m. and 6:00 a.m., all animals are confined in a sound and odor proof kennel building that is completely enclosed and air-conditioned, or in a sound and odor restricted kennel building whose total open area (doors and windows) shall not exceed twenty (20) percent of the floor area of the building. During all other hours, the animals may be confined in open fenced yards, pens, runs, etc., in conformance with the locations prescribed in this article.
  - (2) *Type B.* A Type B kennel is one where, at any time, animals may be confined in open fenced yards, pens runs, etc., in conformance with the locations prescribed in this article.
- (c) *Standards.* Commercial kennels may be allowed provided all of the following requirements are met.
  - (1) *Effects.* A commercial kennel shall be developed and operated to minimize noise, odor and other objectionable effects on the area in which it is located.
  - (2) *Parcel size.* The minimum parcel size requirement shall be as follows:
    - a. For a Type A kennel, five (5) usable acres.
    - b. For a type B kennel, ten (10) usable acres.
  - (3) *Kennel facilities.* Kennel facilities shall include all kennel buildings, exercise yards, pens, runs, etc., where animals are contained at any time, and shall conform to the following minimum requirements:

- a. Location. The minimum setbacks from the parcel's property lines for all kennel facilities shall be based on the number of animals, excluding pups less than four (4) months of age, kept on the parcel and are as follows:
    1. Type A kennel:
      - a) From adjoining agricultural or other non-residential zones--Five (5) feet per animal, and
      - b) From adjoining residential zones--Ten (10) feet per animal, and
      - c) From an existing residence--Fifteen (15) feet per animal.
      - d) Kennel buildings that are sound and odor restricted but not completely enclosed, air conditioned and sound and odor-proof shall observe the setback requirements for a Type B kennel.
    2. Type B kennel:
      - a) From adjoining agricultural or other non-residential zones--Ten (10) feet per animal, and
      - b) From adjoining residential zones--Fifteen (15) feet per animal, and
      - c) From an existing residence twenty (20) feet per animal.
  - b. Construction. Sound and odor proof or restricted kennel buildings shall be built to county building codes. Sound and odor-proof buildings shall be adequately constructed so that there will be no emission of noise or odor detrimental to other property in the area.
- (4) *Nuisances.* Chapter 4 of this Code shall apply to all animal nuisance complaints except those related to noise and odor from regulated kennels.
- (5) *Effect of zoning changes.* At the time a commercial kennel is established, or enlarged, the location of the kennel facilities and number of animals allowed will be determined by the type of kennel

and the then existing zoning and use of adjacent property. Changes in zoning or use of adjacent land after the kennel is legally established or expanded shall not require existing kennel facilities to be relocated or number of animals to be reduced.

(Ord. No. 96-23, § 9, 12-16-96)

**Secs. 13-728--13-750. Reserved.**